

**UNOFFICIAL
STATE FIRE COMMISSION MEETING
JACKSON'S MILL, WV
APRIL 18, 2008**

The official business meeting was called to order at 8:45 AM by Chairman Charles Eversole.

COMMISSIONERS PRESENT:

Charles L. Eversole, Chairman
Joseph J. Bostar, III
Larry Goodwin
Randy James
David Tolliver

Bill L. Spencer, Vice Chairman
Dale L. Clayton
Francis A. Guffey, II
James L. Oldaker

COMMISSIONERS ABSENT:

John Bailey, Secretary
Chuck Runyon

Kenneth Morgan
Victor Stallard, Jr.

APPROVAL OF MINUTES

Commissioner James made a motion to approve the minutes of February 8, 2008. Commissioner Spencer seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

INTRODUCTION OF GUESTS

Bill Wilcox, Dept. of Education
Edward Hicks, Dept. of Education
Murrey Loflin, WVU-FSE
Lanny L. Adkins, WVU-FSE
Roderick Armstrong, RESA
Mike Freeman, RESA VII
Jim Ancell, RESA V
Ron Bateman, ISO
Robert Nevins, ISO
Mike Basile, Spilman, Thomas & Basile
Roger Channell, Marion County
Bob Cannon, Beckley-Raleigh County Code Enforcement Department
Gary Bonnett, WV State Firemen's Association
Tim Cunningham, WV Homebuilders Association
Beth Thomasson, WV Homebuilders Association

STAFF PRESENT:

Sterling Lewis, Jr., State Fire Marshal
Nancy Olson, Secretary
Debbie Hudson, Secretary
Joe Leake, Deputy Fire Marshal

Edsel Smith, Assistant Fire Marshal
Bob Light, Assistant Fire Marshal

Fire Marshal Lewis introduced a new employee of the Fire Marshal's Office, Bob Light, Assistant Fire Marshal, who will be working in the eastern panhandle.

GUEST'S CONCERNS

Mr. Roger Channel, Marion County, just wanted to give a quick update on their situation. He stated they had received a letter from the 911 center, advising they were going to shut down their low-band system. None of the departments were ready for that. They approached the 911 advisory board and got that stopped. At the Fire Association meeting, a County Commissioner is willing to try to help them get off the low-band financially. He feels this is a step in the right direction and they are waiting to hear back from him.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

CORRESPONDENCE

Mr. Gary Bonnett, WV State Firemen's Association, handed out a copy of an article published in the Register-Herald newspaper regarding Brickstreet coverage for firefighters.

STAFF REPORTS

Fire Marshal Lewis stated that everything the Fire Marshal's Office had in the Legislature went through successfully. The budget passed and we were allowed to bring in the \$800,000 from our money for support of the Regional Response Teams and the State Fire Marshal's Office. He stated they are in the process of spending this money so it will not be lost.

Fire Marshal Lewis stated that the daughter of one of the Assistant Fire Marshals, Charles Vannatter, who is approximately 18 months old has leukemia and has had a bone marrow transplant and seems to be doing very well at this point. They are at Duke University and will probably be there for 3 or 4 months. There is a fundraiser planned by Mountain State University and our office is helping with that. If anyone would like to contribute to see some of the staff and please keep this family in your prayers.

He stated the Fire Marshal's Office needs some guidance and/or recommendations in reference to the fire codes and building codes. He asked Joe Leake, Deputy Fire Marshal, Inspection Division, to explain the time schedule for getting these codes ready to be submitted to the Legislature.

Deputy Leake stated that the current code by NFPA and ICC are 2006 and both of these codes are in the process of being updated to 2009. NFPA has their annual meeting in June and they will be adopting the 2009 Life Safety Code and Fire Prevention Code. The ICC is meeting in September and they will be adopting the 2009 ICC Code. He stated it is his recommendation that with these codes being so close to being adopted, he feels it would be pertinent to wait and adopt the 2009 codes instead of adopting the 2006 codes this year. He stated the Fire Marshal's Office is accepting 2006 codes as a variance to the code that gives the authority having jurisdiction the privilege of doing so. He stated they would be looking at a 2010 effective date for the 2009 codes. Discussion followed.

AGENCY REPORTS

Technical and Adult Training, Vo-Tech, Mr. Bill Wilcox congratulated WVU Fire Service Extension on the new fire academy.

He submitted an Instructor Course Curriculum Change proposal to be considered at the next meeting. Instructor I is for anyone wanting to gain national certification but are not interested in ever becoming a teacher. He stated all the curriculum used in this proposal is already approved by the Fire Commission. He hopes to get this approved at the next meeting.

He stated the ESCAPE program is an outstanding conference and has the best presenters from all over the United States.

He requested Mike Freeman from RESA VII to share information about the ASSET Conference held recently. Mr. Freeman handed out some of the left over brochures regarding this conference. It was held December 1 & 2, 2007. The theme this year was "Forging the Future of Public Service". The purpose is to get their instructors together from across the State, provide them with training and let them do some networking. ASSET stands for Achieving Student Superiority through Exceptional Training. He thanked everyone for their support. They handed out awards for years of service of teaching.

Training, WVU-FSE, Mr. Murrey Loflin thanked everyone for their support for the new fire academy.

Mr. Loflin stated that the Junior Firefighter Camp will be bigger and better this year. All information is on their website.

He stated there would not be a state fire school this year.

He stated the WV Weekend at the National Fire Academy would be held on December 6 & 7, 2008. There have been some new classes added.

Insurance Services Office (ISO), Mr. Robert Nevins stated he wanted to pass along the results of the 2007 annual report in respect to West Virginia. During 2007, we completed 16 public protection community surveys and of those, there was one new

community they classified and of the rest, 5 were improvements in class and the remaining had no change, so there were no regressions in classification.

Commissioner Guffey asked if the adoption of the building and fire codes are delayed to the 2009 editions, would ISO have a problem with that? Mr. Nevins stated he would have to find out and report back to the Fire Commission. He would try to find out before the meeting adjourned. Discussion followed.

Office of Emergency Medical Services – No report.

COMMITTEE REPORTS

Training Committee, Commissioner James thanked everyone for their help in the transition of the Chairman. He stated there were four (4) courses submitted for approval. Two of the courses need more information and they are Managing Emergency Incidents on the Roadway and First Responders for Hybrid Vehicles. He stated he was submitting two courses for approval. The first is Emergency Vehicles Driver Training Program, 2008 edition which was submitted by VFIS which is actually an upgrade to their currently approved 16 hours course. The other is out of IFSTA, which is Aerial Apparatus Driver and Operator Course, which is submitted as a 32 hour course.

Commissioner Tolliver made a motion to approve the Emergency Vehicle Driver Training Program, 2008 edition. Commissioner Bostar seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Tolliver made a motion to approve the IFSTA Aerial Apparatus Driver and Operator course. Commissioner Spencer seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

FD Standards Evaluation, Commissioner Oldaker stated they are working to get the Fire Officer I submission forms back on the website. There were no applications received for approval.

Recruitment and Retention Committee, Commissioner Runyon. No report. Fire Marshal Lewis stated the legislature passed several study resolutions that they will be studying during Interim Committee Meetings dealing with the fire service. One of those will be Recruitment and Retention. The schedule of those Interims when they are studying that will be posted on the website. It would be important for all entities of the fire service to keep up with those interim studies. Another study they are looking at is the cardiovascular study for fire personnel.

Procedures Development Committee, Commissioner Bailey. No report.

Special Issues, Commissioner Bostar – No report.

Legislative and Budget, Commissioner Spencer stated the proposed legislation for the State Fire Commission to approve the provider of fire training in the state of West Virginia was sent back to the Commission with no action from the

Committee and a request to table the issue indefinitely. Fire Suppression work legislation passed the legislative session. Budget is moving right along.

Home Inspectors, Building Code Officials, Building and Fire Code Committees, Commissioner Guffey requested Mr. Nevins from ISO to come forward with his report. Mr. Nevins reported as to how the point process works with regard to code adoption and their evaluations. He stated their schedule internally will not be to come back until 2010 and he felt they were flexible enough if the code is ready to be adopted, they would wait for that to happen. Discussion followed.

Commissioner Guffey stated he will recommend that the Fire Commission go ahead and proceed with the adoption of the 2009 NFPA codes and the 2009 ICC codes. He stated the National Electrical Code is out of sync with that. The next edition is 2011 so the 2010 will be the edition to be adopted. Commissioner Guffey so moved. Commissioner Tolliver seconded the motion. Discussion followed regarding the 2005 NEC code. The ayes and nays having been taken on a voice vote, the motion passed.

A resolution was submitted by Bob Cannon, WV Code Officials Association, to encourage all municipalities and counties adopting the State Building Code to use the 2006 editions of the ICC codes and standards until the 2009 codes are adopted. Commissioner Guffey made a motion to adopt this resolution. Commissioner Tolliver seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Guffey stated an item was presented at the last meeting regarding a slight modification concerning the certification of building code officials. He stated that in a conference with Deputy Fire Marshal Carrico, he recommends that the Fire Commission approve the certification and testing and will change the existing rules to adopt that. Mr. Bob Cannon stated there was about 6 different minor technical changes from the original adoption. Some of the language in the rules was incorrect inadvertently and the Fire Commission needs to give the authority to the Fire Marshal to proceed with the changes and present them back to you in June for filing in July to change the rule. Commissioner Guffey made a motion to adopt this modification to the certification of building code officials. Commissioner Spencer seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Guffey stated a company called Safety Train to provide continuing education for home inspectors. This company provides the 90 hour certification program and to approve a certification examination from NAHI (National Association of Home Inspectors). There is one examination now and this will give a second examination to be approved. Commissioner Guffey made a motion to accept this program. Commissioner Spencer seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Guffey stated there was a letter from him which was drafted by legal counsel to Michael Reel of the WV Home Inspectors. At a previous meeting, Mr. Reel had complained about people that call themselves home inspectors and they

aren't. The legal opinion is if you call yourself a home inspector, you must be one. This letter is just a matter of information.

TIME AND PLACE OF NEXT MEETING

The next meeting will be held on June 13, 2008 at the Fairfield Inn & Suites, Fairmont, WV. The Committee Meetings will be held on Thursday, June 12, 2008 at the same place. Take Exit 132, Middletown Mall.

The August meeting will be in Charleston.

GOOD OF THE ORDER

Fire Marshal Lewis spoke about legislation that did not pass. In talking to all parties interested in the premium tax monies, the Governor has voiced an interest in working with the fire service. He stated that he is requesting that all entities of the fire service work together on this particular piece of legislation for the next session of the Legislature. Discussion followed.

ADJOURN

Commissioner Goodwin made a motion to adjourn. Commissioner Spencer seconded the motion. The ayes and nays having been taken on a voice vote, the motion passed.

Respectfully submitted,

Sterling Lewis, Jr.
State Fire Marshal